

ORIGINAL

In the Matter of the Application of GRANGERS BUSINESS ASSOCIATION for an order approving the order of the Board of Supervisors of the County of Contra Costa, State of California, made July 2, 1923, granting to the Grangers Business Association, its successors and assigns, a renewal of the right to construct and maintain a wharf and to take tolls thereon for the use of the same for the term of twenty years, on certain land situated and bordering on the Straits of Carquinez, in said County of Contra Costa.

Application No. 9240.

BY THE COMMISSION:

ORDER APPROVING FRANCHISE

GRANGERS BUSINESS ASSOCIATION, a corporation, having been granted, on the 2d day of July, 1923, by the Board of Supervisors of the County of Contra Costa, a franchise for a period of twenty years from said date, the right to construct, erect and maintain a wharf upon certain lands bordering upon the southerly shore of the Straits of Carquinez, and situated in Township No. 12 of said County, and a license to take tolls thereon, which lands are more particularly described as follows:

Commencing at a point on the northerly line of the right of way of the Northern Railway Company, now owned by the Southern Pacific Railroad Company, on the southerly shore of the Straits of Carquinez in the said County of Contra Costa, and distant 1700 feet westerly from the center line of Eckley's small wharf, and 150 feet westerly from the southwesterly corner of the wharf franchise heretofore granted to the Sacramento Bank, now owned by said Grangers Business Association, and running thence westerly along said northerly line of said Northern Railway right of way, now owned by the Southern Pacific Railroad Company, 1000 feet; thence northerly at right angles with said Railway right of way 300 feet to ship's channel in the Straits of Carquinez; thence easterly and parallel with said right of way 1000 feet; thence southerly and at right angles 300 feet to the place of beginning.

And having applied to the Railroad Commission for approval of said franchise, which is a renewal of a franchise previously approved by this Commission, and having submitted to this Commission copies of papers filed with said Board of Supervisors of Contra Costa County, together with a copy of the order of said Board of Supervisors granting the said franchise;

And the Commission being of the opinion that this is not a case in which a public hearing is necessary, and that the application should be granted;

NOW, THEREFORE: IT IS HEREBY ORDERED, that the Railroad Commission approve the wharf franchise described in the petition herein, provided that this order shall not become effective until Grangers Business Association has filed with this Commission, for approval, a stipulation, duly authorized by its Board of Directors, declaring that neither it, nor its successors nor assigns will ever claim before the Railroad Commission, or any court or other public body, any value for said wharf franchise in excess of the amount actually paid to the County of Contra Costa in consideration of the grant of said franchise, which amount shall be stated in said stipulation, and shall have received from the Railroad Commission a supplemental order declaring that such stipulation has been filed in form satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 21st day of August, 1923.

O. Sewell
H. C. ...
Dwight ...

T. Whitting
Commissioners.